

EVENING BULLETIN.

SATURDAY EVENING, FEB. 6, 1858.

THE AMERICAN JOURNAL OF THE MEDICAL SCIENCES, Philadelphia: Blanchard & Lea.—We plead guilty of neglect in not noticing sooner this old and established favorite of the public. The number for January reached us in good time, and is filled as usual with both original and selected matter of great interest to the medical profession. In the review department, among other articles is one on the work just published by our townsman, Prof. Henry Miller. The reviewer speaks in high terms of it. The Journal is published quarterly at \$5 a year.

AMERICAN MEDICAL MONTHLY FOR JANUARY, New York. This journal has not been so long before the public, but is received with much favor. Its editors, who are also the proprietors, are not connected with any publishing house, or with any school, or sect, or degree, or party. They are fearless, frank, just, out-spoken men, who are guided solely by what they conceive to be the true interests of the profession. The Monthly embraces among its contributors some of the *acme* of the old world. We are glad to learn that the past year was marked by a large increase in the list of subscribers. It circulates now in every State and Territory of the Union. The publishers signalize the new year by augmenting the reading matter from sixty-four to eighty pages. The price remains the same—\$3 a year. All who wish a monthly visitor, we are sure will be pleased with this one.

THE NATIONAL HOTEL DISEASE.—The causes of the malady at the National Hotel at Washington, says an exchange, were fully revealed when the new occupants undertook the operation of cleansing. They found in the enormous cellar decaying and poisonous matter enough of all sorts to have killed an army of men, if subject to its exhalation. There were removed from this part of the house sixty-seven cart loads of putrid stuff; and when it is said that a part of this consisted of the contents of the privy vaults which had overflowed in the cellar from choked up drains, and the remainder was the refuse of the kitchen and pantry—all in the most offensive condition—no one will be surprised that the National Hotel became a pest-house. Yet all this corruption the stupid Washington Board of Health, composed of doctors and scientific men, after repeated examinations of the premises failed to find.

In the Senate, on Friday evening, the bill restricting the banks from taking usury under the color of exchange was passed. It provides for monthly reports, to be published in two papers in Frankfort, one in Louisville, and one in Lexington. The bill is in substance the same as the 2d, 3d, 4th, 5th, and 6th sections of the bill rechartering the banks, which was given in the letter of our Frankfort correspondent. It also includes deposit banks and savings institutions in its provisions.

The bill for the benefit of the Commercial Bank increases her stock \$600,000 and retains the power to restrict the issue of small notes.

The House of Representatives, on Friday evening, passed a bill for the benefit of the common schools of this city.

LATER FROM RIO.—Rio advices to the 24th ult. have been received at New Orleans. The news principally concerns the financial crisis, which was beginning to seriously affect the business of the port. Affairs had already reached something like a panic, similar to that through which our own and European cities have passed. Business of all kinds was at a stand still, especially in coffee, the principal export buyers taking advantage of the condition of the money market to demand a reduction of 400 to 500 reis, to which holders, in view of the quantity on hand and the estimated crop, were not disposed to concede. Freighters were of course dull, and the amount of shipping in port large, 146 vessels in all.

THE CHICAGO POST-OFFICE ROBBERY.—The Press gives the following particulars of this affair, already mentioned by telegraph:

Van Geesen had been for a considerable length of time engaged in this nefarious letter stealing business. He is a man 23 or 24 years of age, and was formerly a clerk in the Lexington post-office. He was engaged as a clerk in the Chicago post-office in April last, since when he has appeared to conduct himself with great propriety. He first commenced stealing in the month of July last, as he stated after his arrest. Since that time, frequent complaints have come to Postmaster Price of money letters not reaching their destination. Mr. Price went to work to investigate the matter himself, and employ such aid as he might be able to require.

The leakage was found to be in the Western mailing room. He proceeded by inquiring, in such a way as not to arouse suspicion, into the character, habits, and occupation when not on duty in the office, of each of the clerks in this room. By this means he learned that Van Geesen (one of the most upright men to all appearance in the office) had some \$500 of money loaned; that he had recently taken a house in Buffalo street, which he had furnished richly at an expense of over \$1,000, and that he was engaged to be married on the 15th of February (this month) to an estimable young lady in Louisville. Mr. Paul H. Dennis, special mail agent for this city, was then deputed to perform the more especial part of a detective's duty. Procuring from Eastern postoffice envelopes properly stamped and registered, a decoy package, or letter containing \$50, and addressed to a banker at Dixon, Ill., was placed in the mail to be made up by Geesen for that office. In the meantime close and secret watch was kept on the suspected clerk. After making up the package, he went out to the privy, returning in a short time. The package, before it left the office, was found to be missing. Although satisfied that the clerk had taken it, no further step was taken until he left the office to go to supper, when Mr. Dennis proceeded to arrest him. The money which the letter had contained was found upon his person.

He was committed to jail on a warrant issued by Commissioner Bross.

IMPORTANT INFORMATION TO OWNERS OF ARKANSAS SWAMP LANDS.—We have obtained from a reliable source the decision of the Supreme Court of Arkansas upon the question of taxing the swamp lands of that State, an abstract of which will be found below:

1st. That the swamp and overflowed lands sold under the act of 10th January, 1851, while the 14th section thereof was in force, are, by contract between the State and the purchasers, exempt from taxation.

2d. That the period of exemption begins at the date of the purchase from the State, and continues for ten years if the lands are not soon reclaimed, and if they are, that the exemption ceases upon their reclamation; and in no event does it continue longer than ten years, whether reclaimed or not.

3d. Whenever any of the levees and drains, provided for by the act of 1851, are completed, the lands intended to be protected or drained thereby are within the meaning of the law reclaimed. And,

4th. That the lands cannot be taxed till after the expiration of the period of exemption; and so much of the act of 6th January, 1855, as provides that they shall be, is repugnant to the Constitution of the United States and void.

Memphis Eagle and Enquirer.

The only fresh news brought by the Glasgow papers. It consists chiefly in particulars of the attempted assassination of the Emperor Napoleon.

The Paris correspondent of the London Herald telegraphs on the 16th: "The Imperial carriage drove up to the main entrance of the theatre, and as one of the footmen was in the act of opening the door, three percussion shells, filled with fulminating powder, were fired from the top of one of the houses opposite among the cortège, and exploded on reaching the ground. The first fell just in front of the carriage, its fragments killing one horse, wounding the footman, and piercing the hat of the Emperor about an inch above his head. The other shells burst among the crowd and escort. An eye-witness says there was an interval of a few seconds between the second and third explosions. The Emperor had alighted; he then carried the Empress in his arms to the steps of the opera-house, but scarcely had he done so when a third shell burst under the carriage, and scattered it to pieces.

The houses opposite were immediately taken possession of by the police, and in one several Italians were arrested, one having a loaded revolver. The shells must have been large, containing a great quantity of gunpowder, as the report broke all the windows on the opposite side of the street. It is supposed the attempt was believed certain of success, for the death of the Emperor was a current report at the time of the outrage. At the opening of the Bourse, the cry of "Vive l'Empereur!" was universal. Two hundred persons have been taken and are still confined; even some of the police have been arrested. The indignation against the assassins is increased, because they must have known that the Empress and other ladies would be present. The explosions were heard at a quarter of a mile, and placed the immediate spot in darkness for a short time. The Emperor's hat was torn into two parts. The collar of the cloak he wore, and that part which covered his shoulder, was rent open.

The London Times of the 16th, in its second edition, publishes a letter dated Dec. 2 from Captain Cavonius, describing the retreat after Windham's defeat, and the panic in the camp. Windham lost his camp, with five hundred tents and the mess plate of six regiments, no end of tents, saddlery, and harness in an unfinished state, and private property valued at \$50,000. So it is said. He left his flank exposed, and made no provision for the safety of his camp. The conduct of the 64th Regiment was admirable; they made a desperate charge. Major Sterling, Captains Murphy and Macrae were shot dead. Capt. Parsons was wounded. Brigadier Wilson was shot, after exclaiming, "Now, boys, you have them." Two British guns opened on the regiment by mistake, whilst the enemy's cavalry charged them.

The Queen has signified her intention to bestow the Victoria cross upon Capt. Havelock, son of the deceased hero, for signal acts of coolness and courage on the field of battle.

IN THE SENATE.

FRANKFORT, Jan. 23, 1858.

Mr. Irvine, from the Committee on Banks, made the following report, viz:

The Committee on Banks ask leave to submit to the Senate the following report:

The committee have received from each of the banks a report in response to the interrogatories which, pursuant to the resolution of the Senate, were submitted to them by your committee. The responses are referred to as part of this report, and are herewith presented to the Senate. The committee, supposing it would be more satisfactory to the Senate, have determined to present a consolidated statement of the means and liabilities of the various banks in the State, showing at one view their condition on the 31st of December, 1857, except the People's Bank, which only went into operation on the 26th of November, 1857, and has as yet done but very little business. This condensed report is made out from the responses above referred to, and is as follows:

[Here follows two large tables giving the condition of the banks in detail—the substance of which is contained in this report.]

By this report it is shown that the resources of the banks amount to the sum of \$28,526,321 21, and their entire liabilities to \$26,102,886 48, leaving their contingent fund and surplus profits \$2,423,434 73; from which deduct \$487,186 71, amount of suspended debt, leaves \$1,936,248 02, clear profits, over and above all liabilities.

From the examination the committee have been enabled to give these responses of the banks, nothing in violation of their respective charters has been discovered, nor anything, in the opinion of the committee, demanding legislative interposition. Their present condition is deemed sound and satisfactory, and more especially in view of the severe ordeal through which they have recently passed, and from which they can hardly be regarded, even now, entirely relieved.

Legislative interference with chartered banking institutions, not imperious calls for, is believed to be generally unwise, and more particularly at a time of unexampled monetary depression. It tends to excite suspicion and impair public confidence, the latter so essential to effect the important objects for which banks are established.

The banks in Kentucky have had, and still have, and the committee think deservedly, the confidence of the country, at home and abroad, in a very eminent degree. Their stock has very generally been above par, and they have furnished a currency, than which no State has had a better, and, until the recent embarrassment and derangement, exchange at reasonable rates.

Your committee also deem it matter of high commendation to the banks of Kentucky that, during the most wide-spread and overwhelming monetary pressure and distress probably ever experienced in Europe or America, they have done what the banks in no other State in the Union have done, and what even the banks of the most powerful commercial nation upon the globe was unable to do; they have weathered the storm and maintained their ground, thus far at least, without suspension; while they have done this, there have been but few failures in commercial or other pursuits and less pecuniary pressure in this State, it is believed, than in any other part of the country. But the committee do not, by any means, ascribe this favorable condition of Kentucky entirely to the judicious management of the banks—so far from it, the banks owe in a great measure, their successful struggle, under so great and extraordinary pressure, and their present condition, to the signal forbearance and confidence of the community. The people have very generally been satisfied with the currency—the bank circulation—and have manifested a desire to convert it into specie. But the banks have been much embarrassed and crippled in their operations by the constant drain upon their specie basis by private bankers and brokers, and have necessarily been compelled to shape their course, and regulate their business, in view of it.

Notwithstanding the very favorable opinion expressed in this report of the condition and management of the banks, and notwithstanding the committee are aware that it is actually necessary that the banks should deal in bills of exchange to an amount sufficient to keep up their specie basis, yet the committee cannot withhold the expression of the opinion that the banks have extended their bill of exchange business to a disproportionate and unjustifiable amount, and to some extent have charged too great a rate of exchange, as will appear by reference to their responses.

The committee have had under consideration the propriety of extending the charters of several of the banks, which will expire in a few years. The charter of the Bank of Louisville will expire on the 1st of January, 1863; of the Bank of Kentucky, the 1st day of October, 1864; of the Northern Bank of Kentucky, the 1st day of May, 1855. The aggregate capital of these banks is \$7,030,000, their circulation \$4,661,257. They are all in high credit, and the committee have come to the conclusion that it will be good policy to extend their present charters. It is very desirable for them to know, at an early day, whether they are to wind up when their charters expire, or whether their charters will be extended. Their course in business would very much depend upon their known destiny, when their present charters expire.

It is apprehended from the present indications that the States, in regard to currency and exchanges, will have to take care of themselves. Little can be expected from the general government. In that view, Kentucky can hardly hope to do better than to continue her present currency, and, of course,

her present banking institutions. They are identified with the business of the country, and possess, in a great degree, its confidence. The extension, at this time, of the charters of the banks alluded to, it is confidently believed, would have a tranquillizing influence upon the public mind, and afford additional assurance of a continuing, sound, and stable currency, and of general prosperity.

The State of Kentucky holds the following amounts of stock in the banks whose charters are proposed to be extended, to-wit:

In the Bank of Louisville.....\$40,600 00
In the Bank of Kentucky.....1,013,400 00
In the Northern Bank of Kentucky.....290,000 00

Total stocks held.....\$1,344,000 00

The ordinary dividend on this stock, of ten per cent. per annum, amounts to.....\$134,400 00
State tax on stock in said banks.....35,150 00

Showing an annual income from the banks to the State, of.....\$169,250 00

While, therefore, the extension of the chartered lives of the banks would certainly promote the interest of the individual stockholders, and pecuniary interest of the State would be promoted in an equal or greater ratio; conceding, as the committee do, that this pecuniary interest should be made to yield to the general welfare, they are not aware of any seriously contemplated policy of attempting to disperse with the aid and facilities of State banks. The banks of this State, and their branches, extend to almost every section of the State, and where located the people manifest no disposition to be rid of them, and those sections which have not a conveniently accessible bank manifest an earnest desire for the location of a bank or branch in their midst.

Surrounded, as we are, with States flooded with a paper circulation, a purely metallic currency, however desirable, would be an impossibility. While there is no difference of opinion as to the superiority of the currency afforded by our own banks, with whose condition we are acquainted, and whose soundness is undoubted, over that afforded by the banks of other States, which would necessarily flow in upon the withdrawal of our own, the committee regard the currency afforded by the banks of this State as the full equivalent of a gold and silver currency. The ease of transportation, and the facility of transacting business, being more than equal to the trouble and delay of converting into coin, in a few instances in which such conversions are desirable, in the ordinary business of the country.

The committee therefore formulate the policy of having our own State institutions be the settled policy of Kentucky, sanctioned by the unmistakably expressed wishes and conviction of the people for more than twenty years.

The committee would not, under these circumstances, regard it as the part of wisdom to prevent the continued existence of these banks, which have been tried by commercial convulsions as violent as any that we have reason to expect in the future, and whose solvency and soundness, during a period of more than twenty years, have never been doubted for a single day. It will be seen, by an examination of the statement of the condition of these banks, that each of them have a considerable amount of accumulated surplus profits. The Bank of Louisville has \$170,358. The Bank of Kentucky \$811,219, and the Northern Bank \$454,480. If the whole suspended debt of these banks be deducted from the accumulations, there will still be found belonging to each a large surplus. This is really an addition to the capitals of those banks, upon which business has been legitimately done, and profits made, thereby considerably swelling the profits on the nominal capital of the banks. These profits might now be permitted to be legally converted into capital, and used for forming an additional branch to each of those banks, to be located at points most destitute of, while needing and desiring bank facilities.

The committee have, in accordance with the views here presented, drawn up a bill, which they report, for extending the charters of the Bank of Louisville, the Bank of Kentucky, and the Northern Bank of Kentucky. Among the few additional conditions imposed is that of each bank, within one year from the 1st of June next, locating an additional branch. The committee have understood there are at least that number of sections of the State destitute of banking facilities, yet greatly desiring them, and fairly entitled to them by the amount of their business and commerce.

There are restrictions which they would feel disposed to favor, in a general law applicable to all the banks of issue in the State, which they are not in favor of applying specially to these banks.

DAVID IRVINE,
Chairman Senate Committee on Banks.

January 23, 1858.

ARREST OF A BIGAMIST IN BOSTON.—Some time since, a young man, representing that he belonged in Bangor, Me., and giving his name as William Coombs, became acquainted with a young lady by the name of Susannah Cushman, the only daughter of a wealthy farmer in Charver, Mass, and on Thanksgiving eve the couple were united in the holy bonds of matrimony, and the bridegroom being but twenty-four years of age, and the bride having scarcely passed the age of 'sweet-sixteen.' Coombs, married with his young wife but a very short time, when he stole her gold watch and chain, together with a considerable amount in specie belonging to her father, with which he decamped from Carver and came to Boston, where he took board with a female named Maria Ryan, who kept a house on Broad street. He told Mistress Ryan that his people were rich residents of Bangor, and about two weeks ago he led her to the hyphenal altar. Coombs by various representations induced his new wife to break up housekeeping, and dispose of the more bulky articles of furniture, &c., while the rest should be packed up, and accompany her to his relatives in Bangor. A number of packages were taken in charge by him, under the pretence that he was going to see them safe on board the Bangor boat, but, instead of so doing, it appears that he took them to a pawnbroker's shop and pawned them. Returning to his last made wife, he gave her five dollars, and, directing her to go on board the boat for Bangor, made some excuse for a temporary absence, and left her to make the best of her way to Bangor, minus of every article of household goods, and not knowing a soul in the place. Disposing thus of his second wife, Coombs proceeded to Dedham, where he remained till yesterday, when he ventured to return to this city, and was shortly after arrested and committed to the Tombs to await examination on the charge of bigamy and larceny.

Boston Journal.

Who is He?—A Vienna letter of the 11th of January, says: "According to letters from Pesth, in Hungary, a merchant of that place some three years ago absconded, leaving his creditors minus 200,000 florins. Subsequently it was ascertained that he had established himself in New York, and was doing profitable business. Recently his Pesth creditors were offered fifty per cent. for their claims, which they eagerly accepted. Soon thereafter the absconding debtor reappeared in Pesth, and simultaneously the intelligence was received from New York, that he had decamped from there leaving behind him debts to the amount of \$2,600,000.—N. Y. Post.

DIED.

On the morning of the 6th inst., at 8 o'clock, Mr. JOSEPH PORTER, in the 54th year of his age.

His funeral will take place to-morrow afternoon, at 2 o'clock, from his late residence on Green street, between Third and Fourth. The friends of the family are respectfully invited to attend.

MASONIC NOTICE.
The members of MOUNT MORIAH LODGE (No. 106) of A. Y. MASONS are hereby notified that a meeting of the lodge will be held on Sunday, 7th inst., at 2 o'clock P. M., for the purpose of attending the funeral of their deceased brother JOSEPH PORTER. The fraternity are respectfully invited.

By order, S. HILLMAN, W. M.

CHAS. BOWEN, Secretary.

VALENTINES! VALENTINES!
A large and splendid assortment for sale at the very lowest prices at

GUNTER'S BOOKSTORE, 96 Third st.

PULPIT SPECTACLES.
A large assortment just received. A number of pairs will be pleased to present to any preacher requiring their use.

JOHN KITTS & CO., Main st.

We have studied this branch of our business closely for a number of years and know of no better aid to the minister than the above.

1858. NEW PATTERNS '1858.

Wall Papers, FIRST ARRIVAL IN THIS MARKET.

WE have just received 13 cases Wall Papers, new patterns and styles, for the coming season, to which the attention of the public is respectfully invited. A GOOD PAPER HANGING is an essential with us. All work done by us is warranted to bear the inspection of good judges or no charge for paper or labor of hanging. Prices for cash to suit the times.

W. F. WOOD,
364 1/2 Broadway, Third street, near Main.

Family Sewing Machines.



101 Fourth street,
BETWEEN MARKET AND JEFFERSON,
Louisville, Ky.

WE OFFER TO THE PUBLIC WHEELER & WILSON'S IMPROVED SEWING MACHINE with increased confidence in its merits as the best and most reliable Family Sewing Machine now in use. It sews equally well on the thickest or thinnest fabrics, makes the back-stitch impossible to unravel, with the essential advantage of being alike on both sides, forming no ridge nor chain on the under side, is simple in construction, moves speedily and movement, and more durable than any other machine. We give full instruction to enable the purchaser to sew ordinary seams, stitch, hem, tuck, gather, blind, and tuck, all on the same machine, and warrant it for three years. Inspect and be convinced. A. SUMNER & CO.

PICTURES.

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HARRIS'S GALLERY

Feb 12 daily May 28 bly

MODES DE PARIS. WINTER MILLINERY.

106 Fourth street, between Market and Jefferson.

The undersigned would call the special attention of the ladies to the new and elegant stock of

MILLINERY GOODS,
Such as Bonnets, Ribbons, Flowers, Feathers, Collars, Dress Caps, &c., which will be sold at prices to suit the times.

LADIES' DRESS HATS made to order and all orders faithfully and promptly filled on very reasonable terms.

Mrs. A. JONES, Agent.

NOTICE.

The undersigned would take this method of returning his thanks to his friends and the public generally for the liberal patronage he has received during the past 10 years. Having resumed business, he may be found, for the present, at the Show-Case Factory, No. 314 Green street, between Third and Fourth, adjoining his old stand, where all orders for PAINTING, GLAZING, &c., will be promptly attended to at prices to suit the times. JNO. H. HOWE.

Domestics.

HEAVY NEGRO DRILLS;
PLAID COTTONS;
SUPERIOR BROWN COTTONS;
SUPERIOR BLEACHED COTTONS;
IRISH LINENS;
WHITE GOODS;
TICKING AND CHECKS.

A full supply just received and for sale low at

MARTIN & PENTON'S, 96 Fourth st.

MOURNING GOODS.

LUPIN'S super Bombazines;
Do do Mustin de Laine;
Super qualities of Canton Cloths;
Do do of Luster and Alpaca;
Fine English Prints, lead and black and solid;
Black and white Cape Collars and Sleeves;
Black Silk Gloves and Hosiery;
Love and Grape Velvets;
Black and white English and Italian Crapes;
Super black Chilly and Merinoes;
Black Gingham and Delaines;
Black Bordered Handkerchiefs, &c.;
All of which we are offering upon the most reasonable terms.

MARTIN & PENTON'S, 96 Fourth st.

PLAID COTTON—
2 cases plaid Cottons;
2 bales heavy Plantation Cottons; just received by

C. DUVALL & CO.,
BLEACHED COTTONS—2 cases in good qualities just received by

C. DUVALL & CO.,
ALEXANDER'S KID GLOVES received this morning by

C. DUVALL & CO.,
537 Main st., opposite the Bank of Kentucky.

New Books.

THE Romance of Western History, or Sketches of History, Life, and Manners in the West, by Judge Hall, author of "Legends of the West," &c. 8vo. 15s.

Stories and Legends, by Grace Greenwood. 75c.

Audubon, the Naturalist of the New World; his Adventures and Discoveries. 75c.

The Hunt Hunters, by Capt. Mayne Reid. 75c.

Debt and Credit, a Novel from the German. \$1.

Lucy Howard, by Mrs. Seymour. 75c.

Lewell's Poems. 2 vols. 8vo. \$1.50.

The Abbott Household edition of Waverley: 2 vols. \$1.50.

Sermons on Special Occasions, by Rev. John Harris, D. D., author of the Great Commission, &c. \$1.

Examination of the Dred Scott Case, by Hon. Thos. H. Benton. \$1.

Ripley's Notes on the Epistle to the Romans. 75c.

American Repository for 1858. \$1.

The Southern Baptist Register for 1858. 10c.

For sale by F. A. CRUMP, 84 Fourth st.

PORTABLE FORGES—

For Jewellers, Copper-smiths, Millers, Planers, Nail-Road Builders, and every Mechanic who needs a Smithshop in complete order.

Also a general assortment of Mechanics' Tools wholesale and retail by

A. McBRIDE,
No. 69 Third street,
between Market and Main,
where every article in the hardware line may always be obtained at the lowest cash prices. f21&b

FARMERS' AND MECHANICS'

TOOLS of every description for sale wholesale and retail by

f11&b A. McBRIDE, 69 Third st.

LOCKS, LATCHES, BOLTS, SCREWS, NAILS,

Brads, Cord Wire, Hooks, Springs, Shovels, Tongs, Forks, Bakes, Axes, Hatchets, Hammers, Coffee-Mills, Sifters, Knives, Forks, Spoons, Britannia Ware, Glass Clocks, Combs, Brushes, Lids, Croziers, Howls, Bells, Tea Kettles, Milk Pans, Fish Kettles, Stew Kettles, Thermometers, Braies, Bitts, Drills, Gages, Candelsticks, Lanterns, Yard Sticks, Rules, Squares, Drawing Instruments, Turning Tools, &c., wholesale and retail by

f11&b A. McBRIDE, 69 Third st.

VALENTINES

For February 14, 1858.

I have now in store a large stock of

VALENTINES,
SENTIMENTAL AND COMIC,

which I will sell

50 per cent. below the usual retail prices.

A large discount to the Trade.

Call or send your orders to W. W. TALBOT, 11&b 95 Fourth street.

Spurgeon's Sermons.

A NEW supply received this day.

f11&b F. A. CRUMP

Olshausen.

OLSHAUSEN'S COMMENTARIES. Five volumes of this valuable work can now be had at 84 Fourth street, \$3 vol. Sold together or separately.

f11&b F. A. CRUMP.

RALLY, AMERICANS, RALLY.—Young America Council will meet on Monday night, the 8th inst., at E. D. Prewitt's, on Jefferson street, near Prestor. It is particularly requested that all members of this council be present. Members of other councils are invited to attend.

Union and Liberty Councils of the Third and Fourth Wards are requested to meet at their hall on the night of the 6th of February, at the usual hour, for the purpose of ratifying the nomination of Geo. R. McKee. By order of the Presidents.

LECTURES AT THE CATHEDRAL.—We are requested to announce that Bishop Spalding will deliver a course of six historical lectures at the Cathedral, the first to be given on to-morrow (Sunday) evening, at 7 o'clock. The evening service will commence at 7 o'clock, during the continuance of the lectures. The public are invited. Seats free.

Rev. J. C. Talbot, D. D., rector of Christ church, Indianapolis, is expected to preach in St. John's church, on Jefferson street, between Eleventh and Twelfth, at 10 1/2 A. M. and 3 P. M.

ORIGIN, RISE, AND PROGRESS OF THE CUMBERLAND PRESBYTERIAN CHURCH.—Rev. H. A. Hunter will deliver a discourse on the above subject Sabbath morning at 11 o'clock in the First Cumberland Presbyterian Church, corner of Floyd and Chestnut streets. The public are invited to attend. Seats free.

PILES IN BOTH FORMS CURED!—READ THIS!—"I can only account for my present sound health from the constant though moderate use of Borchave's Holland Bitters—having from my youth suffered, at intervals, from Piles, in both forms, sometimes so severely as to completely prostrate me. I have for several months past, though subject to loss of sleep and unusual physical effort, been entirely free from any symptom of this distressing disease, while my general health is very much improved."

Persons doubting the authenticity of this certificate are requested to call upon or communicate with the proprietors. They will take pleasure not only in referring them to its author, but to many others who have used the Holland Bitters for the same affection, with equal success.

f11&b read 3&w1

Cincinnati Safety Fund Bank

Note Reporter.

GIVING the Cincinnati, Chicago, Indianapolis, and New York quotations, published semi-monthly. Subscriptions received by

A. GUNTER, Agent, 99 Third st.

New Books by G. W. M

EVENING BULLETIN.

(Special Dispatch to the Louisville Journal.)

Another Boat Blown up and Burned. LOSS OF FROM TWENTY-FIVE TO FIFTY LIVES.

MEMPHIS, Feb. 5.

The steamer Col. Crossman burst her boiler at 8 o'clock on Thursday night, 4th inst., and the boat then burst to the water's edge. She was passing New Madrid at the time. There were between one and two hundred passengers on board when she passed Memphis. About one hundred and twenty-five were rescued, but many of them were badly frozen. The captain, mate, and five ladies were saved, and the probable loss is from twenty-five to fifty lives. The boat was heavily loaded, and, together with her cargo, is a total loss.

The Crossman was bound from New Orleans to St. Louis. She has been running only a few months and was built at Pittsburgh or St. Louis for the Missouri river trade.

XXXVTH CONGRESS—FIRST SESSION.

Friday's Proceedings Concluded.

WASHINGTON, Feb. 5.

House.—After a call of the House, in order to procure a full attendance, the question was taken on the amendment proposed by the minority of the election committee—that Campbell, the sitting member and Vallandigham, contestant, be allowed forty days to take supplementary testimony. Rejected by 13 majority. The resolution of the majority of that committee—that it is inexpedient to allow further time to take testimony, as asked by the sitting member—was adopted by 13 majority.

The Speaker laid before the House Williamson's amended answer.

Mr. Stanton remarked that the witness had appeared before the committee and answered very promptly, and without equivocation, every question propounded to him. As to whether he answered correctly, was for the country to judge. On Mr. Stanton's motion, Mr. Williamson was discharged from custody.

The President's Kansas message was considered. Mr. Grow called attention to the fact that while the President transmitted a copy of the Minnesota constitution and official returns of the election, making no recommendation concerning her admission as a State, he sent in a copy of the Leocompton Constitution, with no returns, but with the recommendation that Kansas be admitted under that instrument. The President's message, instead of communicating the desirable information, abounds in epithets and slanders against the people of Kansas.

He gave way to Mr. Harris, of Illinois, who said he wished to withdraw a resolution he had previously submitted, and to introduce another with the view of obtaining information. If they were to believe the opinion expressed by gentlemen on all sides of the chamber, this was one of the most important questions ever presented for the consideration of Congress. Intimations have been thrown out here and at the other end of the Capitol that the decision of this question might perhaps result in precipitating events disastrous to an eminent degree to the character and welfare of the country. If this expression of opinion rested on any well-founded existing state of facts, it was necessary that the country should know what they are. When the navigator is about to embark on a voyage it was important for him to ascertain the point of his departure. If we are about to enter upon a new order of things, let us know the facts on which this order of things is to be initiated. Allegations were made of fraud, corruption, outrage and infamy, which if true (and gentlemen by their action endorse what has been done) they become acute and serious after the fact in perpetrating the frauds. It was due to themselves, those they represent, those who are to come after them, and to the world, that the facts should be obtained in an authentic form. He presented a letter from Secretary Stanton, already published, which was read.

He concluded by submitting a resolution that the President's message and the Leocompton constitution be referred to a select committee of 15, to be appointed by the Speaker, with instructions to inquire into all the facts connected with the formation of the said constitution and laws under which the same originated, and to all facts and proceedings which have transpired since the formation of the constitution, and whether it is satisfactory to the legal voters; the Territory Committee to have power to send for persons, papers, &c.

The Speaker said Mr. Harris could offer his resolution only as an amendment to Mr. Hughes's motion to refer the message to a committee of thirteen.

Mr. Harris believed the ruling of the Speaker was correct, and, in order at once to ascertain the fact of his resolution, he moved the previous question.

Mr. Stephens in vain appealed to Mr. Harris to withdraw his motion, and moved a call of the House by yeas and nays first—voted down—a motion to adjourn—and then a motion to adjourn till Monday. A scene of great confusion ensued. Motions to adjourn were repeatedly voted down—both parties being evidently nerved for the contest.

Half-Past Four.—The House refused to adjourn by 21 majority, not half the members occupying their seats.

A variety of motions, made to excuse the Democrats from voting, and to send for a dagger to stab to take a view of the scene, &c., were declared out of order.

Various questions, principally for adjournment, were determined negatively by the yeas and nays. Several clerks broke down in calling the roll, and inexperienced subordinates were dispatched to their relief. Members continually going out and coming in from lunch; some eating at their desks.

"Come," said one, "let's adjourn. What's the use of continuing this farce?"

Another replied, "I'll bring my bed and stay till Monday, before I give way to the Leocomptonites."

A voice—"Good for you."

Seven O'clock.—Both parties are still determined to hold out.

Mr. Miles was excused from voting.

Mr. Phillips moved to reconsider and lay on the table.

Tellers were ordered. The opposition refused to vote.

Mr. Keitt demanded the vote. If members did not vote there would not be a quorum.

The Speaker decided that a quorum was not needed on the yeas and nays.

Appealed from, and the yeas and nays called. Declared out of order, as a former appeal was pending.

Several members attempted to speak and were called to order.

There is every prospect that the session will last till daylight.

ST. LOUIS, Feb. 5.

River at a stand with between 9 and 10 feet to Cairo. The Missouri and Upper Mississippi continue to fall. The latter is full of ice at Dubuque. The Illinois is reported rising with 6 feet in the channel and a good deal of ice runnel. Weather cloudy. Mercury 30.

Submarine No. 7 has arrived here, after a five months' cruise in the lower Mississippi. She brings up the machinery, &c., taken from the wreck of the Shotwell, Julia Avondale, Submarine No. 5, North Star, Rainbow, and Allegheny.

EVANSVILLE, Feb. 5.

The starch factory of W. H. Lagon & Co. was totally destroyed by fire this morning. Loss \$12,000; insured for \$8,000.

DETROIT, Feb. 5.

The extraordinary session of the Michigan Legislature adjourned on the 3d inst. The Swamp Land, Judicial, and Loan bills are among the important measures.

ST. LOUIS, Feb. 5.

Leavenworth (Kansas) papers of the 30th say that Gen. Stickley, commissioner appointed by the President to audit the claims of citizens of the Territory who sustained losses during the recent difficulties, has allowed claims amounting to nearly four hundred thousand dollars.

The Board of Commissioners appointed by the Legislature, is now in session at Leavenworth, en-

gaged in taking testimony relative to the election frauds.

CHICAGO, Feb. 5.

A rumor at Fayetteville, Ark., states that a fearful insurrection occurred near that place. It is said to have been incited by two white men. The negroes attacked two settlements, killing twenty-three persons, burning houses, and killing cattle. The insurrection was finally subdued by an organization of volunteers, who killed seven and captured eighteen. The rumor is doubted.

NEW YORK, Feb. 5.

The Common Council have appointed a committee to tender the courtesy of the city to Mohammed Pacha, who is coming here to contract for a ship-of-war for the Turkish navy.

A woman named Grosse poisoned her husband and herself to end their troubles and prevent him from leaving her. Both are dead.

A letter has been addressed to Mayor Tiemann from the Mayor of Richmond, Va., asking that inquiries be made concerning a colored man named George Anderson. The letter states that a person going by the name of M. S. Thomas has been arrested in Richmond, Va., charged with selling Anderson into slavery, while the latter asserts that he is a free negro, and was born in this city. Affidavits of persons who knew Anderson will be sent to-day to Richmond to secure his release.

THE WEATHER.

FRIDAY, Feb. 5, P. M.

New Orleans—Clear; mercury 41.
Vicksburg—Thermometer 33; barometer 29.80.
New York—Weather clear; wind southeast; mercury 32.
Buffalo—Clear; wind west; mercury 31.
Utica—Clear; wind west; mercury 22.
Philadelphia—Clear; wind northwest; mercury 35.

THE PRESIDENT'S MESSAGE ON THE LEOMPTON CONSTITUTION.

WASHINGTON, Feb. 2, 1858.

To the Senate and House of Representatives:

I have received from Mr. Calhoun, President of the late Constitutional Convention of Kansas, a copy, duly certified by himself, of the constitution framed by that body, with the expression of the hope that I would submit the same to the consideration of Congress, "with the view of the admission of Kansas into the Union as an independent State."

In compliance with this request I herewith transmit to Congress for its action the Constitution of Kansas, with the ordinance respecting public lands, as well as the letter of Mr. Calhoun, dated Leocompton, the 14th ult., by which they were accompanied. Having received but a single copy of the constitution and ordinance, I send this to the Senate.

A great delusion seems to pervade the public mind in relation to the condition of parties in Kansas. This arises from the difficulty of inducing the American people to realize the fact that any portion of them should be in a state of rebellion against the government under which they live. When we speak of the affairs of Kansas we are apt to refer merely to the existence of two violent political parties in that Territory divided by the question of slavery, just as we speak of such parties in the States. This presents no adequate idea of the state of the case. The dividing line there is not between two political parties, both acknowledging the lawful existence of the government, but between those who are loyal to this government, and those who have endeavored to destroy its existence by force and usurpation—between those who sustain and those who have done all in their power to overthrow the Territorial government established by Congress.

This government they would long since have subverted had it not been protected from assaults by the troops of the United States. Such has been the condition of affairs since my inauguration. Ever since that period a large portion of the people of Kansas have been in a state of rebellion against the government, with a military leader at their head, of most turbulent and dangerous character. They have never acknowledged, but have constantly denounced and defied, the government in which they owe allegiance, at the time, and in a state of resistance against its authority. They have all the time been endeavoring to subvert it and establish a revolutionary government under the so-called Topeka Constitution in its stead. Even at this very moment the Topeka Legislature is in session. Whoever has read the correspondence of Gov. Walker with the State Department, recently communicated to the Senate, will be convinced that this picture is not overdrawn. He always protested against the withdrawal of any portion of the military force of the United States from the Territory, deeming its presence absolutely necessary for the preservation of the regular government and the execution of the laws.

In his very first dispatch to the Secretary of State, dated June 2, 1857, he says:

"A most alarming movement, however, proceeds from the assembling of the so-called Topeka Legislature, with the view to the enactment of an entire code of laws. Of course it will be my endeavor to prevent such a result, which would lead to an inevitable and disastrous collision, and, in fact, renew civil war in Kansas."

This was prevented by the efforts of Governor Walker, but soon he had to send to General Harney to request him to furnish a regiment of dragoons to proceed to the city of Lawrence, and this for the reason that he had received authentic intelligence, verified by his own actual observation, that a dangerous rebellion had occurred, involving open defiance of the laws and the establishment of an insurgent government in that city.

In the Governor's dispatch of July 15, he informs the Secretary of State that—

"The movement in Lawrence was the beginning of a plan, originating in that city, to organize an insurrection throughout the Territory, and especially in all the towns, cities, and counties where the Free State party have a majority. Lawrence is the hot-bed of all abolition movements in this Territory. It is the town established by the abolition societies of the East, and, while there are a respectable number of persons who are filled by the abolition societies to perpetrate and diffuse agitation throughout Kansas, and prevent the peaceful settlement of this question, I have failed in inducing their own so-called Topeka State Legislature to organize this insurrection, Lawrence has committed itself, and, not arrested, rebellion will extend throughout the Territory."

And again:

"In order to send this communication immediately by mail, I must close, assuring you that the spirit of rebellion pervades the great mass of the Republican party of this Territory, instigated, as I entertain no doubt they are, by Eastern societies, hence in view results most disastrous to the government and the Union; and that the continued presence of General Harney is indispensable, as was originally stipulated by me, with a large body of dragoons and several batteries."

On the 20th of July, 1857, General Lane, under the authority of the Topeka Convention, undertook, as Governor Walker says—

"To organize the whole Free State party into volunteers, and to take the names of all who refuse enrolment. The proposed object was to protect the polls at the election of August of a new insurgent Topeka State Legislature. The object in taking the names of all who refuse enrolment is to terrify the Free State conservative into submission. This is proved by the recent atrocities inflicted upon the men by the Topekaists. The speedy location of large bodies of regular troops here with two batteries is necessary. The Lawrence insurgents await the developments of this new military organization."

In the Governor's dispatch, of July 27, he says:

"Lane and his staff everywhere deny the authority of the Territorial laws, and counsel a total disregard of these enactments."

Without making quotations of a similar character from other dispatches of Governor Walker, it appears by reference to Secretary Stanton's communication to General Cass on the 9th of December last, that "the important step of calling the Legislature together was taken after Governor Walker had become satisfied that the election ordered by the convention on the 21st instant could not be conducted without collision and bloodshed." So intense was the disloyal feeling among the enemies of the government established by Congress, that an election which afforded them opportunities, if in the majority, of making Kansas a free State, according to their own professed desire, could not be conducted without collision and bloodshed. The truth is, that until the present moment the enemies of the existing government still adhere to their Topeka revolutionary constitutional government. The very first paragraph of the message of Governor Robinson, dated 7th of December, to the Topeka Legislature, now assembled at Lawrence, contains an open defiance of the laws and constitution of the United States. The Governor says:

"The convention which framed the Topeka constitution organized with me people of the Kansas Territory. It has adopted and ratified the same twice by a direct vote;

also, indirectly, through the election of State officers and members of the State Legislature; yet it has placed the Administration to regard the whole proceeding revolutionary."

The Topeka government, adhered to with such treacherable perfidy, is a government in direct opposition to the existing government presented and recognized by Congress.

It is usurpation of the same character as it would be for a portion of the people of any State to undertake to establish a separate government, within its limits, for the purpose of redressing any grievance, real or imaginary, of which they might complain, against the legitimate State government. Such a principle, if carried into execution, would destroy all lawful authority, and produce universal anarchy. From this statement of facts, the reason becomes palpable why the enemies of the government authorized by Congress have refused to vote for the delegates to the Kansas Constitutional Convention, and also, afterwards, on the question of slavery, submitted by it to the people. It is because they have even refused to sanction or recognize any other Constitution than that framed at Topeka.

Had the whole Leocompton Constitution been submitted to the people, the adherents of this organization would doubtless have voted against it, because successful they would thus have removed the obstacles out of the way of their own revolutionary constitution. They would have done this, not upon the consideration of the merits of the whole or part of the Leocompton Constitution, but simply because they have ever resisted the authority of the government authorized by Congress from which it emanated.

Such being the unfortunate condition of affairs in the Territory, that was the right as well as the duty of the law-abiding people. Were they silently and patiently to submit to the Topeka usurpation, or to adopt the necessary measure to establish a constitution under the authority of the organic law of Congress? That this law recognized the right of the people of the Territory, without an enabling act of Congress, to form a State constitution, is too clear for argument.

For Congress "to leave the people of the Territory perfectly free" in framing their constitution "to form and regulate their domestic institutions in their own way, subject only to the Constitution of the United States," and then to permit them to be permitted to proceed and frame the constitution in their own way, without express authority from Congress, appears to be almost a contradiction of terms. It would be much more plausible to contend that Congress had no power to pass such an enabling act, but to argue that the people of a Territory might be kept out of the Union for an indefinite period, and until it might please Congress to permit them to exercise the right of self-government. This would be to adopt, in their own way, but the way which Congress might choose to their own pleasure. It is impossible that any people could have proceeded with more regularity in the formation of a constitution than the people of Kansas have done.

It was necessary, first, to ascertain whether it was the desire of the people to be relieved from Territorial dependence, and establish a State government. For this purpose the Territorial Legislature, in 1855, passed a law for taking the sense of the people of the Territory upon the expediency of calling a convention to form a State constitution. At the general election to be held in October, 1856, the "sense of the people" was accordingly taken, and they decided in favor of a constitution.

It is true that at this election the enemies of the Territorial government did not vote, because they were then engaged at Topeka, without the slightest pretext of lawful authority, in framing a constitution of their own for subverting the Territorial government. In pursuance of this decision of the people in favor of the convention, the Territorial Legislature, on the 27th of February, 1857, passed an act for the election of delegates on the 1st of Monday of June, 1857, to frame a State constitution.

This law is as fair in its provisions as any that ever passed a legislative body for a similar purpose. The right of suffrage at this election is clearly and justly defined. Every bona fide citizen of the United States, above the age of twenty-one, and who had resided therein for three months previous to that date, was entitled to a vote. In order to avoid all interference from neighboring States and Territories with the freedom and fairness of the election, a provision was made for the registration of qualified voters, and pursuant thereof nine thousand two hundred and fifty-one voters were registered. Governor Walker did his whole duty in urging all qualified citizens of Kansas to vote at this election. In his inaugural address on the 27th of May he informed them that—

"Under our practice the preliminary act of framing a State constitution is uniformly performed through the instrumentality of a convention of delegates chosen by the people. That convention is now about to be elected by you under the call of the Territorial Legislature, created and authorized by the authority of Congress, and clothed with the full powers of the organic law, with full power to make such an enactment. The Territorial Legislature, then, in assembling this convention, has done all that is required of it by the authority of the convention is distinctly recognized in my instructions from the President of the United States."

The Governor also clearly and distinctly informs them what would be the consequence if they did not participate in the election. The people of Kansas, then, he says, "are invited by the highest authority known to the constitution to participate freely and fairly in the election of delegates to frame a constitution and State government." The law has performed its entire appropriate function when it cannot compel the performance of that duty.

Throughout the whole Union, however, and wherever free government prevails, those who abstain from the exercise of the right of suffrage authorize those who do vote to act for them in that contingency; and absentees are as much bound under the law and constitution, where there is no fraud or violence, by the act of the majority who do vote, as if all had participated in the election. Otherwise, as voting must be voluntary, self-government would be impracticable, and monarchy or despotism would remain as the only alternative.

It may also be observed that at this period any hopes, if such had existed, that the Topeka constitution would ever be recognized by Congress must have been abandoned. Congress had adjourned on the 3d of March previous, having recognized the legal existence of the Territorial Legislature in a variety of forms, which I need not enumerate. Indeed, the delegate elected to the House of Representatives under a Territorial law had been admitted to a seat and had just completed his term of service the day previous to my inauguration.

This was the propitious moment for settling all the difficulties of Kansas—the time for abandoning the revolutionary Topeka organization, and for the enemies of the existing government to conform to the laws and unite with its friends in framing a State constitution. But this they refused to do, and the consequences of their refusal to submit to the lawful authority and vote at the election for delegates may yet prove to be of the most deplorable character. Would that the respect for the laws of the land which so eminently distinguished the men of the past generation could be revived. It is a disregard and violation of law which has for years kept the Territory of Kansas in a state of almost open rebellion against its government; it is the same spirit which has produced actual rebellion in Utah. Our only safety consists in obedience and conformity to the law. Should a general spirit against its enforcement prevail, this will prove fatal to us as a nation. We acknowledge no master but law, and should we cut loose from its restraints and everyone do what seemeth good in his own eyes, our case would indeed be hopeless. The enemies of Territorial government determined still to resist the authority of Congress. They refused to vote for the delegates to the convention, not because from circumstances which I need not detail there was an omission to register the comparatively few voters who were inhabitants of certain counties in Kansas for the space of 1857, but because they had determined at all hazards to adhere to their revolutionary organization, and defeat the establishment of any other constitution than that which they had framed at Topeka. The election was, therefore, suffered to pass by default; but of this result the qualified electors who refused to vote can never justly complain. From this review, it is manifest that the Leocompton convention, according to every principle of constitutional law, was legally constituted and invested with power to frame a constitution.

The sacred principle of Popular Sovereignty has been invoked in favor of the enemies of law and order in Kansas; but in what manner is Popular Sovereignty to be exercised in this country if not through the instrumentality of established law? In certain small Republics of ancient times people did

assemble in primary meetings, passed laws and dispensed public affairs. In our country this is manifestly impossible. Popular Sovereignty can be exercised here only through the ballot; and if the people will refuse the exercise of it in this manner, as they have done in Kansas in the election of delegates, it is not for them to complain that their rights have been violated. The Kansas Convention, thus lawfully constituted, proceeded to frame a constitution, and having completed the work, finally adjourned on the 7th of November last. They did not think proper to submit the whole of this constitution to the popular vote, but did submit the question whether Kansas should be a free or a slave State to the people. This was the question which had convulsed the Union and shaken it to its very center. This was the question which had lighted the flames of civil war in Kansas, and produced dangerous sectional parties throughout the confederacy.

It was a character so paramount in respect to the condition of Kansas as to rivet the anxious attention of the people of the whole country upon it, that no person thought of any other question. For my own part, when I instructed Gov. Walker in general terms in favor of submitting the constitution to the people, I had no object in view except the all-absorbing question of slavery. In what manner the people of Kansas might regulate their other concerns was not the subject which attracted my attention. In fact, the general provisions of recent State constitutions, after an experience of eighty years, are so similar and excellent, that it would be difficult to go wrong in any of them. I then believed, and still believe, that under the organic act the Kansas convention were bound to submit this all-important question of slavery to the people.

It was never my opinion, however, that independently of this act they would have been bound to submit any portion of the constitution to a popular vote in order to give it validity. Had I entertained such an opinion, this would have been in opposition to many precedents of our history, commencing in the very infancy of our Republic. It would have been in opposition to the principle which pervades our institutions, and which is every day carried into practice—that the people have a right to delegate to the representatives chosen by themselves their sovereign power to frame a constitution, enact laws, and perform many other important acts without requiring that these should be subject to their subsequent approbation. It would be a most inconvenient limitation of their own power, imposed by the people upon themselves to exclude them from exercising their sovereignty in any lawful manner which they might think proper. It is true that the people of Kansas might, if they had pleased, have required the Convention to submit the constitution to a popular vote, but this they have not done.

The only remedy, therefore, in this case, is that which exists in all other similar cases. If the delegates who framed the Kansas constitution have in any manner violated the will of their constituents, the people always possess the power to change their constitution or laws according to their own pleasure. The question of slavery was submitted to the election of the people on the 21st of December last, in obedience to the mandate of the constitution. Here again a fair opportunity was presented to the adherents of the Topeka constitution, if they were the majority, to decide this existing question "in their own way," and thus restore the peace of the distracted Territory; but they again refused to exercise the right of popular sovereignty, and again suffered the election to pass by default. I heartily rejoice that a wise and better spirit prevailed among a large majority of these people on the first Monday in January, and that they did on that day vote under the Leocompton constitution for a Governor and other State officers, a member of Congress, and members of the Legislature.

This election was warmly contested by the parties, and a larger vote polled than at any previous election in the Territory. We may now reasonably hope the revolutionary Topeka organization will be speedily and formally abandoned, and this will go far toward a final settlement of the unhappy differences in Kansas.

If frauds had been committed at this election by one or both parties, the Legislature and people of Kansas, under their constitution, know how to redress themselves and punish these detestable, but too common crimes without outside interference. The people of Kansas have then "in their own way, and in strict accordance with the organic act, framed a constitution and State government, have submitted the all important question of slavery to the people, and have elected a Governor, a member of Congress, members of the State Legislature, and other State officers, and they now ask admission into the Union under this constitution, republican in its form. It is for Congress to decide whether they will admit or reject the State which has thus been created.

For my own part I am decidedly in favor of its admission, and thus terminating the Kansas question. This will carry out the great principle of non-intervention, sanctioned by the organic act, which declares in express language in favor of the non-intervention of Congress with slavery in the States and Territories, leaving the people perfectly free to form and regulate their domestic institutions in their own way, subject only to the constitution of the United States. In this manner, by localizing the question of slavery and confining it to the people who are immediately concerned, every patriot anxiously expected that this question would be banished from the halls of Congress, where it has always exerted a baneful influence throughout the country. It is proper that I should refer to the election held under the act of the Territorial Legislature, on the first Monday of January, on the Leocompton constitution. This election was held after the Territory had been prepared for admission into the Union as a sovereign State, and when no authority existed in the Territorial Legislature which could possibly destroy its existence or change its character.

The election, which was peacefully conducted under my instructions, involved strange inconsistencies. A large majority of the persons who voted against the Leocompton constitution were at the same time and place recognizing its valid existence in the most solid and consistent manner by voting under its provisions. I have yet received no official information of the result of this election. As a question of expediency, after right has been maintained, it may be wise to reflect upon the benefits to Kansas and the whole country that will result from its immediate admission into the Union as well as the disasters that may follow its rejection. Domestic peace will be the happy consequence of the admission, and that fine Territory, hitherto torn by dissensions, will rapidly increase in population and wealth and speedily realize the blessings and comfort which flow from agriculture and domestic mechanical industry. The people, then, will be sovereign, and can regulate their affairs in their own way.

If the majority of them desire to abolish domestic slavery within the State there is no other possible mode by which it can be effected so speedily as by its prompt admission. The will of the majority is supreme and irresistible, when expressed in an orderly and lawful manner. It can unmake constitutions at pleasure. It would be absurd to say that they cannot impose fetters upon their own power which they might tie their own hands just as well for a hundred as for ten years. These are the fundamental principles of American freedom, and are recognized in some form by every State constitution, and if Congress in the act of admission should think proper to recognize them I can perceive no objection. This has been done emphatically in the constitution of Kansas. It declares in its bill of rights that "all political power is inherent in the people," and all free governments are founded on their authority and instituted for their benefit, and therefore have at all times an inalienable and indefeasible right to alter, reform, and abolish their form of government, in such manner as they may think proper.

The great State of New York is at this moment governed under a constitution framed and established in direct opposition to the mode prescribed by a previous constitution. If, therefore, a provision changing the constitution of Kansas after the year 1864 could by possibility be construed into a prohibition to make such change previous to that period of prohibition, it would be wholly unavailing. The Legislature already elected may at its first session submit the question to a vote of the people whether they will or not vote at a convention to amend their constitution and adopt all necessary means for giving effect to the popular will.

It has been solemnly adjudged by the highest judicial tribunal that slavery exists in Kansas by virtue of the Constitution of the United States. Kansas is, therefore, at this moment as much a slave State as Georgia or South Carolina. Without

the equality of the sovereign States comprising the Union would be violated, and the use and enjoyment of a Territory acquired by the common treasure of all the States would be closed against the people and property of nearly one-half the members of the confederacy.

Slavery can therefore never be prohibited in Kansas, except through the means of a constitutional provision; and in no other manner can this be obtained so promptly, if the majority of the people desire it, as by admitting her into the Union under her present constitution. On the other hand, should Congress reject the constitution under the idea of affording the disaffected in Kansas a third opportunity to prohibit slavery in the State, which they might have done twice before, if in the majority, no man can foretell the consequences. If Congress, for the sake of those men who refused to vote for delegates to the convention, when they might have excluded slavery from the constitution, and who afterwards refused to vote on the 21st of December, when they might, as they claim, have stricken slavery from the constitution, should now reject the State because slavery remains in the constitution, it is manifest that the agitation upon this subject will be renewed in a more alarming form than it has ever before assumed.

Every patriot in the country had indulged the hope that the Kansas Nebraska act would have put a final end to slavery agitation—at least in Congress—which had for more than twenty years convulsed the country and endangered the Union. This act involved great and fundamental principles, and if fairly carried into effect will settle the question. Should agitation be again revived—should the people of sister States be again estranged from each other with more than their former bitterness, this will arise from a cause, so far as the interests of Kansas are concerned, more trifling and insignificant than has ever stirred the elements of a great people into commotion. To the people of Kansas the only practical difference between the admission or rejection depends simply upon the fact whether they can themselves more speedily change their present constitution, if it does not accord with the will of the majority, or frame a second constitution to be submitted to Congress hereafter.

Even if this were a question of mere expediency, and not of right, a small difference of time one way or the other is not of the least importance when contrasted with the evils which must necessarily result to the whole country from the revival of the slavery agitation. In considering this question it should never be forgotten that in proportion to its insignificance, let the decision be what it may, so far as it may affect a few thousand inhabitants of Kansas, who have from the beginning resisted the constitution and the laws, for this very reason the rejection of the constitution will be so much the more keenly felt by the people of fourteen States of the Union, where slavery is recognized under the constitution of the United States. Again, the speedy admission of Kansas into the Union will restore peace and quiet to the whole country. Already the affairs of that Territory have engrossed an undue proportion of public attention, and have sadly affected the friendly relations of the people of the States with each other, and alarmed the fears of patriots for the safety of the Union.

Kansas once admitted, the excitement becomes localized, and would soon die away for want of local aliment; and then every difficulty could be settled by the ballot-box. Besides, and no trifling consideration, I shall be enabled to withdraw the troops from Kansas and employ them on a service where they are much needed. They have been kept there on the earnest importunity of Governor Walker, to maintain the existence of the Territorial government and secure the execution of the laws. He considered at least 2,000 regular troops, under the command of General Harney, necessary. Acting upon his reliable information, I have been obliged in some degree, to interfere with the expedition to Utah, in order to keep down the rebellion in Kansas, which has involved very heavy expense to the government. Kansas once admitted, it is believed there will no longer be occasion there for the troops.

I have thus performed my duty in this important question under a deep sense of my responsibility to God and to the country. My public life will terminate in a brief period, and I have no other object of earthly ambition than to leave my country in a peaceful and prosperous condition, and to live in the affections and respect of my countrymen.

The dark and ominous clouds now impending over the Union, I conscientiously believe will be dissipated, with honor to every portion of it by the admission of Kansas during the present session of Congress; whereas, if she should be rejected, I greatly fear these clouds will become darker and more ominous than ever yet threatened the Constitution and the Union.

JAMES BUCHANAN.

Colored Men Sold into Slavery.—An interesting case has been brought to the notice of Mayor Tiemann, of New York city, in which there is alleged the kidnapping of a colored man, who formerly lived in that city, and the selling of him to Virginia as a slave. The name of the alleged kidnaper is Mason Thomas, and that of the colored man George Anderson. Thomas sold Anderson in Richmond, Va., insisting that he was his slave. Owing to the persistent assertions of Anderson to the contrary, and circumstances which developed themselves subsequent to the sale, Thomas was arrested by the Richmond authorities and taken before the Mayor. The Mayor, upon the evidence of the parties, Mayor May was inclined to believe the allegations of the colored man, and has written to Mayor Tiemann the circumstances. The proofs of Anderson's freedom have been forwarded to Richmond.

DAILY REVIEW OF THE MARKET.

LOUISVILLE, February 6.

Market quiet. A good deal of flour is shipping. We continue to quote \$3 75 to \$4, according to quality. Wheat 70¢/bbl.

In groceries, sales of 70 hhd's sugar at 66, 50 hhd's at 55¢/c, and 40 hhd's at 55¢/c; also, 40 bbl's St. Louis refined at 11c. Sales of 200 bbl's molasses at 22c, 250 bbl's on private terms, and 40 hhd's at 26c. Sales of 95 bags coffee at 105¢.

In provisions only small sales to fill orders, including about 50 bbl's mess pork at \$14, 25 casks clear bacon sides and 10 casks shoulders at 55¢ and 63¢, pgs extra.

Sales of 15 hhd's tobacco—5 at \$3 15¢/bbl, 4 at \$5 10¢/bbl, 1 at 60¢, and 1 at \$7 50¢/bbl.

A sale of 100 bags of Cannon shot at 14c.

Freights scarce and rates low.

CINCINNATI, Feb. 5, P. M.

Flour is firm at \$3 70¢/bbl for superfine, with sales of 2,000 bbl's. Whisky advanced to 16c. Large sales of bulk meat at 55¢ for shoulders and 6c for sides, 1,500 bbl's middles at 7c for Cumberland cut. Mess pork held at \$13 75. Lard quiet at 95¢ for bulk. Sugar firm at 55¢/c. Molasses 23¢/c. Coffee 104¢/c. New Orleans \$5 50.

NEW YORK, Feb. 5, P. M.